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December 10, 2021

Hon. Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: United States v. Messiah Perry
Ind. No. 15 Cr 608 (KPF)

Dear Judge Failla:

This letter is respectfully submitted to make a second request for an extension of time on behalf of Mr. Perry to submit any post-conviction motion for relief pursuant to *United States v. Davis*, 139 S. Ct. 2319 (2019). Since my prior request, I have been able to review the relevant materials in the docket and research the applicable case law. I have communicated to some extent with Mr. Perry through Corrlinks and regular mail. Before filing anything I would like to complete my dialogue with the client, who is in custody, about the appropriate next steps. Thank you for your consideration of this matter.

Respectfully submitted,

Michael
Sporn

Michael H. Sporn

Digitally signed by Michael Sporn
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Date: 2021.12.10 16:27:09 -0500

MHS/ss
Cc: Scott Hartman, Esq.

Application GRANTED. The parties shall adhere to the following briefing schedule: Mr. Perry's opening submission is due January 10, 2022; the Government's opposition is due February 7, 2022; and Mr. Perry's reply is due February 21, 2022.

The Clerk of Court is directed to terminate the pending motion at docket number 582.

Dated: December 10, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE